

Basingstoke Canal Joint Management Committee 15 July 2022

REVISED TERMS OF REFERENCE: NAMED SUBSTITUTES

Purpose of the report:

The Committee is being asked to adopt the revised Terms of Reference of the Basingstoke Canal Joint Management Committee (JMC) to require members to appoint named deputies.

Recommendations:

It is recommended that the Committee adopt the proposed changes to the Terms of Reference (Annex 2) to require Basingstoke Canal Joint Management Committee (JMC) members to appoint named deputies.

Terms of Reference:

1. The Basingstoke Canal Joint Management Committee is governed by Terms of Reference which were last updated in June 2019. This version is attached as [Annexe 1](#).
2. The Terms of Reference specify in section 4(iii) that each Authority may nominate individuals to serve as deputies to attend meetings of the Joint Management Committee.
 - iii. Each Authority may nominate individuals to serve as deputies to attend meetings of Joint Management Committee on behalf of and in the absence of the person for whom they are nominated to deputise.
3. It is proposed that this should be amended as follows to require each Authority to appoint named deputies. New text is shown in bold:
 - iii. Each Authority **is required to** nominate individuals, **with a limit of one named deputy per member**, to serve as deputies to attend meetings of Joint Management Committee on behalf of and in the absence of the person for whom they are nominated to deputise.

4. A revised version of the Terms of Reference showing the proposed changes is included as Annex 2.

Reasons for change:

5. Requiring members to appoint named deputies to attend in their absence will help ensure that each authority is represented at meetings.
6. Requiring members to appoint named deputies will enable each deputy to develop an understanding of the JMC's remit.

Financial and value for money implications

7. 'None'.

Legal implications

8. 'None'.

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Sources/background papers: None

Annex 1

TERMS OF REFERENCE AND CONSTITUTION BASINGSTOKE CANAL JOINT MANAGEMENT COMMITTEE

1. The name of the committee shall be the Basingstoke Canal Joint Management Committee.
2. The objects of the Committee shall include:-
 - a. the oversight of the completion of the restoration of the Basingstoke Canal.
 - b. the management and maintenance of the Basingstoke Canal as an environmental, navigational and recreational asset in accordance with the policy and budgetary framework set for the Committee.
 - c. the balancing of the interests of all users of the Basingstoke Canal and the conservation of the natural environment.
3. The Committee shall be a joint committee of the constituent authorities in pursuance of Section 102(i)(b) of the Local Government Act 1972.
4. The Committee shall comprise 18 elected members from the constituent Councils and up to eight advisory non-voting individuals and representative of special interest groups.
 - i. The elected Members shall be appointed in the following proportions:-

Hampshire County Council	4
Surrey County Council	4
Guildford Borough Council	1
Hart District Council	2
Runnymede Borough Council	1
Rushmoor Borough Council	2
Surrey Heath Borough Council	1
Woking Borough Council	2
Fleet Town Council	1
 - ii. Each Authority shall appoint its representative or representatives according to the constitution of that authority for a period of not less than one year to run from the annual meeting of the appointing authority but each authority shall use its best endeavours to secure continuity of membership by reappointing the same representatives for the four year period between County Council elections.
 - iii. Each Authority may nominate individuals to serve as deputies to attend meetings of Joint Management Committee on behalf of and in the absence of the person for whom they are nominated to deputise.

- iv. The Joint Management Committee shall co-opt two representatives from the Basingstoke Canal Society and one from Natural England plus up to five other non-voting individuals and representatives of special interest groups as necessary.
- v. Representatives and any named deputies shall normally be co-opted for periods of four years but shall be eligible for further periods of co-optation

5. The Chairman and Vice-Chairman shall be elected annually from among the County Council representatives and shall not normally hold that office for a period of more than two-years consecutively. The Chairman and Vice Chairman shall be drawn from different County Councils and the Chair will normally alternate between the two County Councils at the end of a Chairman's term of office.

6. The Standing Orders and General delegations for the summoning of and the execution of the business of the Committee shall be those operated by whichever County Council supplies the officer acting as Honorary Secretary to the Committee from time to time.

7. The Financial Regulations and Personnel Codes of whichever County Council supplies the officer acting as Honorary Treasurer to the Committee from time to time shall apply in relation to the employment of staff and discharge of the role of accountant and paymaster.

8. Not less than two meetings a year shall be held, of which one shall be timed to meet the budgetary cycles of the constituent authorities.

9. Meetings ordinarily begin at 10.05am with an informal public question session five minutes before the start time. This meeting is held in public, but it is not a public meeting i.e. the public may not interfere with proceedings, they must only observe. The public must not be able to attend part/all of a meeting where there is any disclosure of confidential information (see Standing Order 15.2 k SCC Constitution 21 May 2019).

1. The deadline for Member's questions is 12.00 noon four working days before the meeting.
2. The deadline for public questions is seven days before the meeting.
3. The deadline for petitions is 14 days before the meeting (See Standing Order 88 of Surrey County Council's Constitution for more information).

10. The ownership of the Canal shall remain vested in the County Councils. Subject to any policies or directions laid down by the County Councils from time to time the Committee shall have general authority to manage the Canal and resources on behalf of the County Councils as owners of the Canal Lands. In formulating and implementing policies or decisions for the development and management of the Canal and the recreation and amenity uses of it, the Committee shall not act to the prejudice of the County Councils as landowners and any policy or decision of the Committee that may cause such prejudice or departs from the policies laid down from time to time by the County Councils shall not be implemented without first obtaining the consent of the County Councils.

- Basingstoke Canal Joint Management Authority June 2019

Annex 2

TERMS OF REFERENCE AND CONSTITUTION BASINGSTOKE CANAL JOINT MANAGEMENT COMMITTEE

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 - iii. Each Authority is required to nominate individuals, with a limit of one named deputy per member, to serve as deputies to attend meetings of Joint Management Committee on behalf of and in the absence of the person for whom they are nominated to deputise.

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- iv. The Joint Management Committee shall co-opt two representatives from the Basingstoke Canal Society and one from Natural England plus up to five other non-voting individuals and representatives of special interest groups as necessary.
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